

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 7

CHITTUR & ASSOCIATES, PC,

Case No.: 16-22704 (RDD)

Debtor.
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**ORDER, PURSUANT TO RULE 2004 OF THE FEDERAL RULES OF BANKRUPTCY
PROCEDURE, DIRECTING THE PRODUCTION OF DOCUMENTS
BY CITIBANK, N.A.**

Upon the amended application, dated March 22, 2018 (the “Application”) of Marianne T. O’Toole, as Chapter 7 trustee (“Trustee”) of the estate of Chittur & Associates, PC (“Debtor”), by her counsel, LaMonica Herbst & Maniscalco, LLP (“LH&M”), seeking entry of an order, pursuant to section 105(a) of Title 11 of the United States Code and Rule 2004 of Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”), directing the production of certain records, documents and electronic files pertaining to the Debtor that are in the possession, custody or control of Citibank, N.A. (“Citibank”); and after due deliberation the Court having determined that the Application establishes good and sufficient cause for the relief granted herein; and no hearing or additional notice being required except as set forth herein, it is hereby

ORDERED that, pursuant to Bankruptcy Rule 2004, the Application is granted; and it is further

ORDERED that, pursuant to Bankruptcy Rules 2004(c) and 9016, LH&M, as officers of the Court, are authorized and directed to issue a subpoena to Citibank (and any supplemental subpoenas that may be necessary) (each, a “Subpoena”) directing the production of documents set forth more fully below in accordance with Rule 45 of the Federal Rules of Civil Procedure; and it is further

ORDERED that Citibank is directed to produce for examination and inspection to LH&M at 3305 Jerusalem Avenue, Wantagh, New York 11793, Attn: Holly R. Holecek, Esq., the following records, documents and electronic files that are in Citibank's possession, custody or control:

- (i) Copies of all account statements, cancelled checks, credit memos, debit memos and deposit slips for IOLA client account ending *9217 in the name of "Krishnan S. Chittur" ("Account") for the period May 1, 2014 to the present;
- (ii) Copies of all wire transfer requests, wire transfer logs, wire transfer confirmations and any other document relating to wire transfers from or into the Account for the period May 1, 2014 to the present;
- (iii) Copies of all electronic payment requests, electronic payment confirmations and any other document relating to electronic payments from or into the Account for the period May 1, 2014 to the present; and
- (iv) Such other and further documents relating to the Account and requested by the Trustee.

And it is further

ORDERED that fourteen (14) days' notice for the production of the records, documents and electronic files set forth above shall be deemed good and sufficient notice of the production of such records, documents and electronic files; and it is further

ORDERED that service of a copy of the Application, this Order and a Subpoena by certified mail, return receipt requested, upon Citibank at its last known business address, or such other address as the Trustee may subsequently discover, shall be deemed good and proper service of this Order and the Subpoena; and, it is further

ORDERED that the Trustee is authorized to do such things and expend such funds as may be reasonably necessary to effectuate the terms of this Order.

Dated: March 22, 2018
White Plains, New York

/s/Robert D. Drain
United States Bankruptcy Judge